



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 043034/0167

Applicant: Hirokazu TAKATAMA et al.

Title: LOAD DISTRIBUTION FAILURE RECOVERY SYSTEM AND METHOD

Application No.: 09/833,042

Filed: April 12, 2001

Examiner: Euripidou, Christopher M.

Art Unit: 2114

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Technology Center 2100

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO-SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR 1.97 and 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie prior art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The instant Information Disclosure Statement is being filed after the mailing date of a first Office action on the merits, but before the mailing date of a final Office Action or a notice of allowance. Accordingly, a certification or fee is required. A certification is provided below.

**CERTIFICATION**

The undersigned hereby certifies in accordance with 37 C.F.R. §1.97(e)(1) that each item of information submitted with this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement.

**RELEVANCE OF EACH DOCUMENT**

Documents A1 – A4 were listed in a European Search Report dated February 13, 2004, for a counterpart PCT application. A copy of the Search Report is also being provided herewith.

Applicants respectfully request that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form PTO SB/08 be returned in accordance with MPEP §609.

Respectfully submitted,

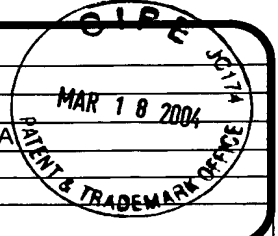
March 18, 2004  
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|---|-------------------|--|---|--------------------|------------|-------------|------------|----------------------|-------------------|----------------|------|---------------|-----------------|------------------------|-------------|
| Substitute for form 1449B/PTO<br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>Date Submitted: March 18, 2004<br><br><i>(use as many sheets as necessary)</i> |                   | <b>Complete if Known</b><br><table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Application Number</td> <td>09/833,042</td> </tr> <tr> <td>Filing Date</td> <td>04/12/2001</td> </tr> <tr> <td>First Named Inventor</td> <td>Hirokazu TAKATAMA</td> </tr> <tr> <td>Group Art Unit</td> <td>2114</td> </tr> <tr> <td>Examiner Name</td> <td>C. M. Euripidou</td> </tr> <tr> <td>Attorney Docket Number</td> <td>043034-0167</td> </tr> </table> |   | Application Number | 09/833,042 | Filing Date | 04/12/2001 | First Named Inventor | Hirokazu TAKATAMA | Group Art Unit | 2114 | Examiner Name | C. M. Euripidou | Attorney Docket Number | 043034-0167 |
| Application Number  | 09/833,042        |  |   |                    |            |             |            |                      |                   |                |      |               |                 |                        |             |
| Filing Date   | 04/12/2001        |  |   |                    |            |             |            |                      |                   |                |      |               |                 |                        |             |
| First Named Inventor  | Hirokazu TAKATAMA |  |   |                    |            |             |            |                      |                   |                |      |               |                 |                        |             |
| Group Art Unit  | 2114              |  |   |                    |            |             |            |                      |                   |                |      |               |                 |                        |             |
| Examiner Name   | C. M. Euripidou   |  |   |                    |            |             |            |                      |                   |                |      |               |                 |                        |             |
| Attorney Docket Number  | 043034-0167       |  |   |                    |            |             |            |                      |                   |                |      |               |                 |                        |             |
| Sheet   | 1                 | of   | 1 |                    |            |             |            |                      |                   |                |      |               |                 |                        |             |



| U.S. PATENT DOCUMENTS |                       |                      |                                   |   |  |   |
|-----------------------|-----------------------|----------------------|-----------------------------------|---|--|---|
| Examiner Initials*    | Cite No. <sup>1</sup> | U.S. Patent Document |                                   | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|                       |                       | Number               | Kind Code <sup>2</sup> (if known) |   |  |   |
|                       | A1                    | 6,006,264            |                                   | COLBY et al.                                    | 12/21/1999                                       |   |
|                       |                       |                      |                                   |   |  |   |
|                       |                       |                      |                                   |   |  |   |
|                       |                       |                      |                                   |   |  |   |

| FOREIGN PATENT DOCUMENTS |                       |                         |                     |                                   |  |  |   |
|--------------------------|-----------------------|-------------------------|---------------------|-----------------------------------|--|--|---|
| Examiner Initials*       | Cite No. <sup>1</sup> | Foreign Patent Document |                     |                                   | Name of Patentee or Applicant of Cited Documents | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|                          |                       | Office <sup>3</sup>     | Number <sup>4</sup> | Kind Code <sup>5</sup> (if known) |  |  |   |
|                          | A2                    | EP                      | 0 814 583           |                                   |  | 12/29/1997                                       | ABS   |
|                          | A3                    | EP                      | 0 903 895           |                                   |  | 03/24/1999                                       | ABS   |
|                          |                       |                         |                     |                                   |  |  |   |
|                          |                       |                         |                     |                                   |  |  |   |
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| NON PATENT LITERATURE DOCUMENTS |                       |  |                |
|---------------------------------|-----------------------|--|----------------|
| Examiner Initials*              | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>6</sup> |
|                                 | A4                    | A. IWATA et al., "PNNI Routing Algorithms for Multimedia ATM Internet", January 1997, Volume 1, pages 60-73  |                |
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|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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